

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MAVERICK RECORDING COMPANY, a	)	CIVIL ACTION No. 04-40167-FDS
California joint venture; ARISTA RECORDS,	)	
INC., a Delaware corporation; UMG	)	
RECORDINGS, INC., a Delaware corporation;	)	The Hon. F. Dennis Saylor
WARNER BROS. RECORDS INC., a	)	
Delaware corporation; ATLANTIC	)	
RECORDING CORPORATION, a Delaware	)	
corporation; and BMG MUSIC, a New York	)	
general partnership,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
LISA HAGERTY	)	
	)	
Defendant.	)	

**DECLARATION OF COLIN J. ZICK**

I, COLIN J. ZICK, declare:

1. I am an attorney at law licensed to practice before the Courts of the Commonwealth of Massachusetts and this United States District Court. I am one of the attorneys for Plaintiffs in the above-captioned matter. Unless otherwise stated, I have personal knowledge of the following facts and, if called and sworn as a witness, could and would competently testify thereto.

2. On August 25, 2004, Plaintiffs filed the Complaint in this case against Defendant. Attached hereto as Exhibit A is a true and correct copy of the proof of service on file with the Court, reflecting that Defendant was served with the Summons and Complaint on September 1, 2004, by abode service.

3. More than 20 days have elapsed since the date on which service of the Summons and Complaint was effective.

4. Plaintiffs sent Defendant letters on two separate occasions urging Defendant to file a response and advising Defendant that Plaintiffs intended to seek a default judgment.

5. Plaintiffs granted Defendant an extension up to September 28, 2004 to respond to the Complaint. That extension has expired.

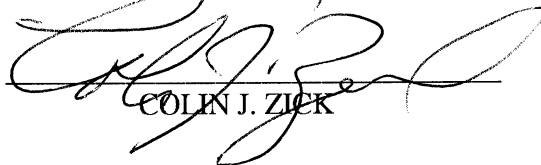
6. Defendant has failed to answer or otherwise respond to the Complaint, or serve a copy of any answer or other response upon Plaintiffs' attorneys of record.

7. I am informed and believe that Defendant is not an infant or incompetent person.

8. A search for Defendant's name was conducted in the U.S. Military Locator database of LexisNexis. That search revealed no evidence that Defendant is in the military service.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 5th day of November, at Boston.

  
COLIN J. ZICK